

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:23-cv-00273-MR-WCM**

DAMON E. BIDDLE,)
Plaintiff,)
vs.)
ORDER
GRAIN TECHNOLOGY, INC., et al.,)
Defendants.)

THIS MATTER is before the Court on the Motion to Dismiss [Doc. 18] filed by Defendant Equifax Information Services, LLC (“Equifax”), and the Magistrate Judge’s Memorandum and Recommendation (“M&R”) regarding that motion [Doc. 24].

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable W. Carleton Metcalf, United States Magistrate Judge (the “Magistrate Judge”), was designated to consider Equifax’s motion and to submit a recommendation for its disposition.

On April 18, 2024, the Magistrate Judge filed an M&R containing conclusions of law in support of his recommendation that Equifax's motion should be granted. [See Doc. 24]. The parties were advised that any objections to the Magistrate Judge's M&R were to be filed in writing within

fourteen (14) days of service. This period has now passed, and no objections have been filed.

After careful consideration of the M&R, this Court finds that the Magistrate Judge's proposed conclusions of law are correct and consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's M&R and grants Equifax's motion to dismiss.

IT IS, THEREFORE, ORDERED that the M&R [Doc. 24] is hereby **ACCEPTED**.

IT IS FURTHER ORDERED that Equifax's Motion to Dismiss [Doc. 18] is hereby **GRANTED** and Plaintiff's claim against Equifax is hereby **DISMISSED**.

IT IS SO ORDERED.

Signed: May 10, 2024



Martin Reidinger
Chief United States District Judge

